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5 UNITED STATES DISTRICT COURT
6 DISTRICT OF NEVADA

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8 FREDERICK D. HARVEY,

9 Petitioner,

10 vs.

11 ATTORNEY GENERAL, *et al.*

12 Respondents.
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Case no. 2:14-cv-01234-RFB-PAL

ORDER

14 In this habeas corpus action, brought by Nevada prisoner Frederick D. Harvey, in an order
15 entered on June 30, 2015, the court denied Harvey's application to proceed *in forma pauperis* and
16 ordered him to pay the \$5.00 filing fee or submit a new *in forma pauperis* application. *See* Order entered
17 June 29, 2015 (ECF No. 2). The court granted Harvey 30 days -- until July 30, 2015 -- to take such
18 action. *See id.* The court warned that failure to comply would result in the dismissal of this action. *See*
19 *id.*

20 Harvey did not, by July 30, 2015, pay the filing fee or file a new application to proceed
21 *in forma pauperis*, and he took no other action. Therefore, the court will dismiss this action without
22 prejudice.

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1 **IT IS THEREFORE ORDERED** that this action is **DISMISSED** without prejudice.

2 **IT IS FURTHER ORDERED** that the petitioner is denied a certificate of appealability.

3 **IT IS FURTHER ORDERED** that the Clerk of the Court shall enter judgment accordingly.

4 **IT IS FURTHER ORDERED** that the clerk of the court shall add Adam Paul Laxalt, Attorney
5 General of the State of Nevada, to the CM/ECF docket, as counsel for respondents. The clerk of court
6 shall serve respondents with a copy of the habeas corpus petition (attached to the application to proceed
7 *in forma pauperis* at ECF No. 1), a copy of the June 29, 2015 order (ECF No. 2), and a copy of this
8 order. Respondents need take no action with respect to this case.

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10 DATED this 12th day of August, 2015.

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14 RICHARD F. BOULWARE, II
15 UNITED STATES DISTRICT JUDGE
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